

House Study Bill 133 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to election recounts.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 50.48, subsection 4, paragraphs a and c,
2 Code 2011, are amended to read as follows:

3 a. When all members of the recount board have been selected,
4 the board shall undertake and complete the required recount as
5 expeditiously as reasonably possible. The commissioner or the
6 commissioner's designee shall supervise the handling of ballots
7 to ensure that the ballots are protected from alteration or
8 damage. The members of the recount board are the only persons
9 authorized to physically touch the ballots during the recount.
10 The board members shall open only the sealed ballot containers
11 from the precincts specified to be recounted in the request or
12 by the recount board. The board members shall recount only
13 the ballots which were voted and counted for the office in
14 question, including any disputed ballots returned as required
15 in section 50.5. If automatic tabulating equipment was used
16 to count the ballots, the commissioner or the commissioner's
17 designee shall supervise the recount board may request the
18 commissioner to retabulate retabulation of the ballots by the
19 recount board members using the automatic tabulating equipment.
20 The same program used for tabulating the votes on election day
21 shall be used at the recount unless the program is believed or
22 known to be flawed.

23 c. The ballots shall be resealed by the recount board
24 members before adjournment and shall be preserved as required
25 by section 50.12. At the conclusion of the recount, the
26 recount board shall make and file with the commissioner a
27 written report of its findings, which shall be signed by at
28 least two members of the recount board. The recount board
29 shall complete the recount and file its report not later than
30 the eighteenth day following the county board's canvass of the
31 election in question.

32 EXPLANATION

33 This bill provides that the members of a recount board are
34 the only persons authorized to physically touch the ballots
35 during a recount. The bill applies to recounts for public

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1 office or nomination to public office and, by operation of law,
2 public measures.